

RULE 26 REPORT

Report: Submitted by Ronald G. Lynch

Style: Alves vs. Harrison County et al

Opinions and Basis

The opinions expressed in this report are based upon materials provided, my education and experience. An updated vita is provided as part of this report. I reserve the right to update and/or amend this report when additional information becomes available.

I have relied upon my experiences as a law enforcement officer with emphasis upon my tenure as a patrol officer, accident investigator, homicide investigator, supervisor and commander for what is now called the Miami-Dade Police Department, Miami-Dade County, Florida; Chief of Police of Lakewood, Colorado; Major, Orange County Sheriff's Office, Orlando, Florida and numerous years of training law enforcement officers as a faculty member of the University of North Carolina at Chapel Hill and the University of Central Florida, Orlando, Florida.

The first opinion is that *Excessive Force was used on the plaintiff*. This clearly demonstrated by the pictures of the Plaintiff's injuries as shown in the photographs, medical report and Deputies report involving the Restraint Chair.

The second opinion is that the role of the Center is to provide proper care, custody and control of its inmates. In this incident the excessive force, failure to provide proper care for his injuries and the conspiracy of lying by Agency personnel shows a deliberate indifference in the handling of this incident. Such indifference is further shown by the intervention of the Federal Court and arrest and conviction of the guards.

My third opinion is that *there was a history of abuse to inmates*. This is demonstrated by the guilty pleas of the Deputies, the false reports and the failure to follow the Agency and reasonable standards on how to treat inmates. This demonstrated by the use of the Restraint Chair for some eight hours when the General Order concerning such use is closer to reasonable care and custody.

Data Used To Form The Opinions

These opinions are based upon the examination of the following materials:

- Complaint and Amended Complaints
- Answer and Affirmative Defenses
- Police Reports
- Pre Discovery Disclosure
- Internal Investigation Report
- Prior Criminal History of Plaintiff
- Arrest Report
- General Orders
- Transcript of Deputy Stolz dated April 3, 2006



Order of Federal Court reference suit against County
Interrogatories and Answers
Grand Jury charges against Ryan Teel
Newspaper Articles
Booking Form
Nurses Notes
Health Assurance Rule 26 Disclosure
Deposition----W. Patrick----Expert Witness

Exhibits

No final decision has been reached at this time as to the use of exhibits in support of these opinions.

Qualifications and Publications

An up dated vita and summary of publications are attached to this report.

Compensation

Compensation is \$250.00 per hour. There is no charge for testifying in court, for telephone conversations or for preparation of reports.

Prior Cases

Enclosed is a list of cases both completed and pending.

Ronald G. Lynch

January 29, 2008
Date